

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANDREW OSTROWSKI,

Plaintiff,

v.

FRANK D'ANDREA, *et al.*,

Defendants.

NO. 3:14-CV-0429

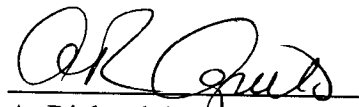
(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

**ORDER**

NOW, this 12<sup>th</sup> day of September, 2017, upon review of the Report and Recommendation of Magistrate Judge Joseph F. Saporito, Jr. (Doc. 35) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 35) is **ADOPTED in its entirety**.
- (2) Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint (Doc. 30) is **GRANTED in part**.
- (3) Plaintiff's Hatch Act and 42 U.S.C. § 1983 claims are **DISMISSED with prejudice**.
- (4) Plaintiff's state-law defamation claim is claim is **DISMISSED without prejudice**.
- (5) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo  
United States District Judge